

SPEECH

OF

MR. MCCLERNAND, OF ILLINOIS,

ON

THE BILL TO REDUCE AND GRADUATE THE PRICE OF THE PUBLIC LANDS.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, DECEMBER 27, 1844.

Mr. MCCLERNAND, addressing the chairman, said—

Much had been already said, and well said, in support of the bill before the committee, and he did not know that he could add anything very material to its success; but the relation he bore to the measure as the representative of a community deeply interested in its fate, made it proper, if not necessary, that he should contribute his aid in its support by expressing his views. He would, therefore, do so as briefly and concisely as he was capable. It had been objected to the bill that it contemplated a total subversion of the present land system—a system which should be preserved on account of its age and beneficent operation. He was willing to admit that the present land system had been productive of many good effects; that it was judiciously adapted to the state of the country at the time it was adopted. But he could not go so far as some gentlemen had who claimed for it a character of perfection and inviolability. On the contrary, he insisted, from his personal knowledge of its operation at present, that it had out-lived its usefulness and fitness, and ought now to be changed. This opinion was not the result of a blind *veneration* for *old* institutions or *aversion* to *new* ones; he did not permit such feelings to influence his judgment on any question of public policy, as seemed to have been the case with the opponents of the bill; but the course he deemed it his duty to take was the suggestion of his reason and reflection.

He was willing to treat with becoming respect institutions which had proved their utility by time and experience, but was unwilling to subscribe to the doctrine that old institutions should be preserved merely because they were old. He did not belong to this antiquated school of political economy. The rule which he had laid down for his government, was to judge of every measure by its intrinsic merits, and act accordingly. If it was just and right, he would adhere to it; if not, he would reject it; and this (said Mr. McC.) is the only safe rule of legislation. It is the dictate of progressive democracy—the spirit of the age, and the free principles which distinguish our happy institutions from the barbarous despotisms of the dark ages. It is the doctrine which gave impulse to the revolutionary struggle, which sustained it through alternating fortune, and finally crowned it with success.

But why this sudden fear of innovation from the other side of the House? Why their dolorous deprecations of any “change” of the present land system? Why their eloquent denunciations of any such purpose? Is it because there is something of fearful import in the word “change?” Will its effect be to invoke a curse upon the country? to call forth “gorgons, hydras, and chimeras dire,” to frighten men out of their propriety? If so, why did these same gentlemen adopt the word as the “battle cry” of the “great whig party” in the presidential contest of 1840—the magic incantation by which “familiar spirits”

“Black spirits and white,
Red spirits and gray,”

were to be evoked from their midnight orgies and sorceries; the gutter, the grog shop, and the bacchanalian rout, to the enactment of still more detestable scenes of muramery, idolatry, and debauchery in open day, to wage a crusade against democracy and to overthrow its benign institutions?

Yes! the spirit of change was then on foot, and it went forth to conquer and destroy; the gods of democracy were thrown away, and *reptiles* and *beasts* were chosen to supply their place; and the “great whig party,”

“Bowling, worshipped these as best beseeemed,
With midnight revelry obscene and loud;
With dark, infernal, devilish ceremonies,
And horrid sacrifice of human flesh
That made the fair heavens blush.”

“Change” was then the Dagon of federal idolatry; and it comes with bad grace from that party to deprecate it now. They sought for it then as the means of escape from alleged evils; and the new States now seek it for the same purpose, as an escape from the evils of a land system which has extorted from their inhabitants \$119,217,326 44, as a penalty for conquering the savage wilderness to the arts of civilization, and for freighting the noble rivers of the West with the rich productions of a virgin soil. This is the object for which the new States ask a change of the present land system—this is the grievance for which they ask redress, even although it should involve a change of a system claimed to be immaculate. But the assumption of the age and inviolability of the system cannot even claim the merit of truth in point of fact. It was admitted that a uniform mode of surveying

and deriving title to the public lands from the government has prevailed from its foundation; but in all other respects, the land system has undergone frequent and material changes. Originally the smallest subdivision of land liable to purchase was 160 acres; now it is 40; at one time the credit system prevailed; now cash payments are required; at one time pre-emption were disallowed; now they are allowed; at one time the minimum price per acre was \$2 25; now it is \$1 25; thus showing that the rigor of the system, as first established, has been from time to time relaxed according to the dictates of a progressive knowledge and liberty in regard to the subject, and the varying interests of the country. And what now is asked? Not the subversion of the system, as alleged, but merely a reduction and graduation of price, according to the relative value of the lands. And is not this just and right? Is not the simple proposition of itself a conclusive argument in favor of the measure? So far from being hostile to the system, the friends of the bill may claim to be its best friends; they would perpetuate it by adapting its provisions to suit the temper and exigencies of the country. They are opposed to distributing the proceeds of the public lands as *douceurs* among the States—in other words, to “distribution,” which is hostile to the objects of the present system: hostile to it, because it diverts the land revenue from its constitutional destination, and converts it into a fund to corrupt the States into an acquiescence in federal abuses and usurpations; because its operation is to promote folly and speculation in the community, and extravagance and corruption in the government, and not the great objects of extending our settlements, multiplying freeholders, and adding to the national wealth, according to the design of acquiring the public lands.

The measure proposed is not an “untried experiment,” as alleged; nor is it liable to the objections which have been urged against it. The gentleman from Vermont, [Mr. COLLAMER,] who objects to it as an experiment, seems to have forgotten that Maine, a contiguous State, has tested its wisdom and utility. In 1824 the legislature of that State directed the unappropriated lands in the State to be offered for sale at 30 cents per acre, at the same time giving the settler a prior right of purchase.

Here Mr. HAMLIN, of Maine, rose and said that the statement of the gentleman from Illinois was not exactly true.

Mr. McCLERNAND. What does the gentleman from Maine mean to say?

Mr. HAMLIN. Nothing offensive to the gentleman from Illinois; only that the prices of the State lands in Maine are graduated according to their value—that a prior right of purchase is given to the actual settler, and that the State lands may be paid for by work on the high roads, &c.

Mr. McCLERNAND. All this is very well. It corroborated the general statement he had made, and furnished an example worthy of the imitation of the government.

Mr. McCLERNAND, resuming the thread of his discourse, said: Nor will it be forgotten that North Carolina sold her inferior lands (some now worth \$20 per acre) for from 5 to 10 cents per acre. Kentucky sold many of her best lands for 12½ cents per acre. Tennessee is now selling the waste lands in her limits for whatever they will bring; and New York and Massachusetts, and perhaps all the old States, have pursued the same general policy; so that the policy proposed is not an experiment, but

has been acted on by the States, and ratified by their experience.

In the case of Tennessee, the lands referred to were offered for sale by the State under a law of Congress, for a term of years, for 12½ cents per acre, and after that they were to be sold for what they would bring; and no complaint of fraud, perjury, and monopoly, is heard from that quarter. Now, after this example of wise and salutary munificence in regard to one State, shall an invidious discrimination be made against others? Shall we so far deviate from the path of duty and propriety, as to prescribe different rules of justice for different States? Are we prepared to say to the State of Tennessee, Take your lands and sell them for what they will bring in market, whether much or little, and account for the proceeds, (see act of Congress, approved 18th February, 1841,) and then turn to Illinois and Missouri, and say to them, we will retain the control of your lands, and you shall not have them for settlement or any other purpose, unless you pay us \$1 25 per acre? Such injustice would be a reproach to any legislative body, and much more to a republican Congress, deriving its authority from the consent of the people, and specially charged and enjoined by the charter of its existence to do justice to all its constituents. It would be equally derogatory to the character of the government, and unjust and dissatisfactory to the people. As much may be said in favor of graduating the price of the lands. That policy has been tried on a large scale, under the authority of the government, in the case of the treaty of 1834 with the Chickasaw Indians, for the evacuation and sale of the lands lately held by them in the State of Mississippi. It is a case directly in point, and fully illustrates the advantages of the policy. The following is one of the articles of the treaty:

Treaty with the Chickasaws for the vacation of their lands, and the graduation of the price to purchasers.

“The lands, as surveyed, shall be offered at public sale, at a price not less than \$1 25 per acre; and thereafter for one year, those which are unsold, and which shall have been previously offered at public sale, shall be liable to private entry and sale at that price. Thereafter, and for one year longer, they shall be subject to entry and private sale at one dollar per acre. Thereafter, and during the third year, they shall be subject to sale and entry at fifty cents per acre. Thereafter, and during the fourth year, at twenty-five cents per acre; and afterwards at twelve and a half cents per acre.”

Under the operation of this article, in the course of four years, more than 2,000,000 of acres of land were sold, and the small remnant not sold at the end of that time was readily disposed of for a fair equivalent. From this example two important facts are derived: first, that when the government seeks to settle, and not speculate on, the lands, a graduation of their price is the means by which it would effect the object; second, that all lands of every description will soon find a market under such a system.

It is objected that the bill, should it become a law, would diminish the revenues derived from the lands. Now, if this should turn out to be so, the fact would constitute no valid objection to the bill. To treat the public lands as a source of pecuniary gain, or the means of speculation, is to degrade a great question, involving the highest considerations of national policy, to one of mere dollars and cents—to consider the government in the light of a land-jobber, rather than as a wise and beneficent patron of the interests and happiness of its citizens. But returning to the

objection, it is without any foundation in truth. The "Committee on Finance" of the Senate, (the distinguished senator from Missouri, Mr. BENTON, at the head,) and the Secretary of the Treasury, in 1839, reported a different opinion. The Secretary of the Treasury (Mr. Woodbury) expressed himself in this language:

"1st. I think such a bill (to reduce and graduate the price of the public lands) would, during a few years, (say five to ten,) increase somewhat the whole amount of sales and proceeds from public lands. 2d. After that, I think its operation would be to reduce somewhat the whole amount received. Consequently, its operation on the finances would not be very essential either way, looking to a series of years." * * * * "In other respects, it would doubtless materially promote individual and public convenience."

The Committee on Finance held that—

"Considering that these lands (the public lands) lie dispersed through nine States and one Territory; that they extend from the northern lakes to the Gulf of Mexico; that they lie intermixed with the cultivated lands of several millions of farmers and planters, to whom they must be desirable, although of inferior quality, provided they can be obtained at prices adapted to their worth; the committee feel justified in believing that the bill would accelerate their sale, and thereby supply the deficiency of a declining revenue from customs; and therefore recommend the passage of the bill in a financial point of view, as a measure beneficial to the treasury, and coming opportunely to its aid."

"Such would be the direct and immediate effect of the bill. Its indirect and consequential effect would also be beneficial to the treasury, by bringing into use and cultivation many millions of acres of land, now idle and unproductive, contributing nothing to agriculture, but which, in private hands, would speedily be made productive; and, in swelling the aggregate of national wealth, would augment the means of replenishing the treasury."

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"The time has fully arrived when the new States should have the use of these refuse lands for taxation, and their inhabitants should have the use of them for cultivation, and that the whole should become private property; and this can better be effected by reducing the price to the value of the lands, than by waiting indefinite terms of years for the lands to rise to the present minimum."—See Senate Doc. No. 14, vol. 1, 3d sess., 25th Congress, 1838-9.

Aside from these high authorities, what does our own observation and reflection teach us on the subject? Those at all conversant with the subject, must know that the operation of the bill would be mainly confined to such lands as have been exposed to sale for many years without being sold. Those remaining after the first selections made by the earliest class of emigrants to the new States, and their neighbors, friends, and relatives coming after them at a later day, for the most part too wet, barren, broken, and prairie lands, remote from timber, which will never sell for \$1 25 per acre, as long as more valuable selections can be made at the same price. Affecting this description of lands chiefly, the only question of pecuniary gain arising for the consideration of the government is to determine between holding on to these lands at a heavy expense, and selling them at once for their cash value. By one alternative, the lands would be withheld from sale for many years, and in the mean time, suffer much deterioration from the destruction of timber, the removal of quarries and the exhaustion of the soil; whilst by the other, their value would be realized at an early day. There are now about 2,000,000 of acres of land in the Shawneetown land district, in the State of Illinois, which have been exposed to sale for thirty years, the interest on which, at 6 per cent., for the same period, added to the aggregate amount of their value at fifty cents per acre, would be \$2,800,000, or \$300,000 more than their present valuation, exclusive of the expense of the offices kept up for

their sale. Yet it is urged that all lands are worth the present minimum, and that therefore a loss would accrue to the government if it should be reduced. This position, however, as those already noticed, is unsupported by the experience of the country. There are now about a million of acres of land in the State of Ohio, which have been offered for sale for about forty years—a portion of which was first offered on a credit, but is yet unsold. In fact, the average price received for the millions of acres sold from the date of the present land system is but a fraction over \$1 25 per acre—thus proving that the best lands will not bring more than the present minimum. The proposition is self-evident that inferior lands will not bring the present price, when the best will bring no more. The case is analogous to that of a merchant, when he has sold all of his stock save a remnant of refuse articles, as a prudent man he sells these for what they will bring, without regard to established prices. This is the policy of a prudent man in business, and it should be of a wise government.

It is well ascertained that there is a large remnant of refuse lands in the States; the fact is rendered certain by the concurring testimony of two tests, which have been applied to them—1st, the length of time they have been exposed to sale; 2d, the classification of the lands, according to their value, from actual examination. From a report made at the last session of Congress by the Secretary of the Treasury, in answer to a resolution moved by myself, it appears that the quantity of lands which had been offered for sale, for twenty years and upwards, in the nine new States, was 41,262,328 acres; and the whole quantity which had been offered for various periods, from five to twenty years and upwards, inclusive, was 94,272,994 acres—less now, perhaps, about half a million. It appears, also, that the quantity of land reported, *fit* and *unfit* for cultivation, in the States of Ohio, Indiana, Illinois, Missouri, Louisiana, Mississippi, Alabama, Arkansas, and the Territory of Florida, on the 30th day of June, 1828, and the proportions sold and unsold in the same States and Territory on the 30th of September, 1840, were as follows:

Proportion fit for cultivation	-	-	20,437,964
" unfit	-	-	26,438,912
Proportion sold during the 12 years	-	-	16,598,107
" unsold at the end of 12 years	-	-	29,978,768

[House doc. No. 197, 1st sess. 28th Cong., vol. 1, 1843-4.]

Now both of these tests establish the fact that there are large quantities of refuse lands, the price of which must be reduced, if they are to be sold. And the fact is particularly worthy of attention, that the statement of the lands fit and unfit for cultivation, considering the large amounts of both classes, shows a striking correspondence between the quantity reported *fit* for cultivation in 1828, and the quantity sold from that period to 1840, and of course the quantity reported *unfit* and not sold at the end of the intervening twelve years.

It has been said that the bill confers a monopoly on the present proprietors of land, by allowing them to purchase any additional quantity not exceeding 320 acres. In estimating the force of this objection, it will be remembered that the privilege thus conferred is to be exercised only for the purpose of adding to "an adjacent farm or plantation." It can do no harm, and may be of great advantage in stimulating and promoting agricultural enterprise. The object of the provision is to protect the interests of a worthy and meritorious class of citizens—the pio-

neers and hardy adventurers, who, at an early day, braved the perils and privations of the wilderness to find new homes; who, surrounded by difficulties and dangers, with strong arms and stout hearts laid broad and deep the foundations of a new empire, in the great valley of the West. And is it not proper that their interests should be protected; that they should be allowed the humble privilege of extending their little farms by adding a limited quantity for the purposes of fuel, timber, water, pasturage, quarries, and to provide for their children? Gratitude, humanity, would say yes! Kindred to this is another provision of the bill, which limits all purchases under it to those who intend to *settle and cultivate* the land. This provision is questioned on the ground that it will stimulate agriculture, which is said to be already too predominant; and because it discriminates between classes of the same community. This feature should commend the bill to favor, rather than excite opposition. It proposes a practical discrimination between the *settler* and the *speculator*—the man who buys land to inhabit and cultivate, and the man who buys it to sell for profit. The one is the honey-bee that contributes to the store of the hive; the other the drone that lives by robbing it. Hence the reason and propriety of the discrimination. Strike out this feature and there will be a re-enactment of the memorable scenes of 1837, '38, and '39, when whole counties and large districts of the new States were monopolized by mammoth land companies for the purposes of speculation, to the serious detriment of the country.

To avoid this great evil, and to do justice to the settler, this provision was introduced. But what are the effects of agricultural labor, that it should not be stimulated and encouraged? Has its influence been injurious to the country, that it should be excluded from the fostering care of the government? The happy experience of the country teaches a different result—that it is the great interest of the community. Within the last fifty years it has added nine new States to the Union; leveled the forest; subdued the rank grass of the prairies, and peopled their broad extent with 7,000,000 of inhabitants. It has freighted the noble rivers of the West with its abundant treasures, and swelled our national commerce to a magnitude that excites the envy and admiration of the world. It is the strength of the mechanic's arm; the breeze which spreads the canvass of your ships; the sinews of war; the dispenser of hospitality, and the patron of liberty. The government leans on it for support; and, Atlas like, it supports all other classes and interests of society. Yet the gentleman from Ohio [Mr. Vinton] thinks we should not encourage agriculture. Mr. Clay said agriculture "needs no protection;" and this seems to be the doctrine of the federal party. The policy of that party is to favor another subordinate interest—to tax agriculture for the benefit of manufactures; to make the first the drudge and pack-horse of the latter. Hence we find them voting for a high protective tariff on one side, and against pre-emptions; to increase the price of the lands to the settler, and to make it the duty of the President to drive the settler from the public lands at the point of the bayonet, if necessary, on the other. And hence, also, their opposition to the present bill. If it is wrong to stimulate agriculture, why is it not equally so to stimulate manufactures? If the true policy is to leave labor to seek its own employments and rewards without interference on the part of govern-

ment, then let the doctrine be fairly and fully carried out; let no invidious exceptions be made to a general rule.

The bill makes no distinction in favor of localities, as some gentlemen seem to suppose. It invites the citizens of all the States alike to come forth and partake of its benefits. The people of the West do not seek to monopolize the lands; what they want is population to develop the resources of their highly favored country; and they are more than willing to extend the hand of fellowship to any of their brethren of the old States who are willing to join them in effecting the noble enterprise. They would open their arms in particular to those who have lately fallen under the axe of federal proscription, for the free and conscientious exercise of the elective franchise—those who have been dismissed from employment by the "loom aristocracy," because, forsooth, they dared to vote for James K. Polk for the presidency. They would specially invite them to locate amongst them and share in the blessings of their rich lands, and the glory and independence of their triumphant democracy. In the great valley of the Mississippi they will find happy homes and congenial spirits; men whose ardent patriotism and high purposes will ever afford a guaranty of individual liberty and national independence.

The manner in which the public lands were acquired, impose an imperative obligation on Congress to dispose of them on such terms as will insure their early and complete settlement. The government acquired them in one of two ways—by *cession* or by *purchase*. Those acquired by cession from the States, were ceded by them in pursuance of a resolution of the Congress of the confederation, which solemnly stipulated that the lands thus acquired "shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican States, which shall become members of the federal Union, and have the same rights of sovereignty, freedom, and independence as the other States." And the same objects and conditions were also expressly stipulated by several of the States in their deeds of cession. From which it appears that the cessions made were not made for the purposes of pecuniary speculation, nor that the disreputable office and practices of the land-jobber might be shifted from the States on the general government; but that the lands might be "settled" and "formed" into republican States. This was the high purpose and patriotic object of the cessions made, and not the venial and sordid motives of pecuniary gain. This having been the object of cession, what now was the object of acquiring the vast domain held by *purchase*? The one assigned was the extension of the area of population; the enlargement of the Union by the addition of new States, and the avoiding of collisions with foreign sovereignties erected on contiguous territory. Assuming, then, this view of the subject to be correct, how now are the public lands to be administered, in order to the attainment of the great object for which they were acquired? Can it be attained by merely setting a price on them? If so, the task may be easily accomplished. It may be as well performed by setting such a price as will prevent their sale, as one which will insure it; by offering them in quantities corresponding to the size of counties, as in 40-acre tracts. No; this is not the course to fulfil the solemn engagements of the government; but the true mode is to reduce the price of the lands to the ability of the settler to buy. By this policy you not only effect the settle-

ment of the lands, but also incidentally force the sale of large quantities of the best lands, at fair prices, now held up by monopolies for speculation, much to the injury of the country; whilst another effect would be to fill up our scattered settlements, strengthen our frontiers, and thereby lessen the expense of the military establishments kept up for their protection.

As a measure tending to reduce the patronage and expenditures of the government, it is entitled to suppose. There is no other branch of the public service so prolific of these consequences as the administration of the public lands; and none more imperiously demands reformation and retrenchment. There are now spread over the new States and Territories sixty-six land offices, one hundred and thirty-two registers and receivers of the public lands, eight surveyors general, with a host of deputies, clerks, draftsmen, chain-carriers, and axe-men, supported at an annual expense of about \$500,000. These officers, from the nature of their functions, are brought in contact with large masses of people in the new States, in reference to interests immediately affecting the security of their homes and firesides. From this cause, and the further fact that they possess an intimate knowledge of all that relates to the public lands, their favor and information are considerations of great moment to both settlers and speculators; and, therefore, they have it in their power to exert an undue influence over the opinions and actions of these classes. The passage of the bill, by hastening the sale of the public lands, will, in a few years, cut off, or, at all events, materially reduce, this branch of patronage, and relieve the new States from its baneful influence. Such a result certainly would be desirable; and if we are to believe the daily denunciations hurled against executive patronage, and the apprehensions expressed of its ultimate triumph over liberty, it is indispensable to the safety of the country. It is a fact which will hardly be denied, that few, if any, other governments known to history, have made such rapid acquisitions of patronage and power as this. Its experience has totally deceived the expectations, of many of the most conspicuous actors in the work of its creation, who expressed the fear that it would be too inefficient to answer the purposes for which it was instituted. Contrary to their expectations, a splendor and attraction surround it, which eclipse the smaller lights of the States, and draw from them the homage due a sovereign. Its more conspicuous offices and higher rewards congregate around it the best talents of the country to sustain its encroachments, and a host of expectants, always ready to bow to its mandates, as the road to favor and preferment. Its civil and military departments now muster an official corps of some hundreds of thousands—fed and clothed out of the treasury—quartered among the States as a military body—dependent upon executive favor for continuance in office, and subject to the will of a common head—the *one-man* power. The danger of such an influence extended throughout the Union, and concentrated in one man, is too obvious for commentary. It is enough to say that it is on the increase; and that, in a critical moment, it might prove fatal to liberty. The passage of the bill would reach and materially reform the evil. It would simplify the machinery of the government—tend to restrain its action within safe limits—withdraw an angry and expensive subject of legislation from the halls of Congress, and essentially relieve the States from their pecuniary

embarrassments, by accelerating settlements, and the period when all the waste land within their limits will be liable to taxation. Many of the most eminent statesmen produced by the country have considered the administration of the public lands one of the most dangerous powers vested in the federal government.

Mr. John Randolph, of Virginia, in 1826, in reply to General Harrison in the Senate of the United States, said:

"I wish that every new State had all the lands within the State, that, in the shape of receiverships and other ways, these States might not be brought under the influence of this ten miles square. In other words, I wish that all the patronage of the land office was in the hands of the individual States, and not in the hands of the general government. I am the friend of State rights, and will cut down the patronage of this general government, which has increased, is increasing, and must be diminished; or we, the States, shall be not only 'shorn of our beams,' sir, but 'abolished quite.'"

Mr. Van Buren expressed himself as follows in the same place and year:

"The subject of the public lands was becoming daily more and more interesting, and would occupy much time in legislation. It extended the patronage of the government over these States to a great extent; it subjected the States in which those lands were situated to an unwise and unprofitable dependence on the federal government. Mr. Van Buren said he should vote for every call on that subject to enable those at some future day to act understandingly on it. No man could render the country a greater service than he who should devise some plan by which the United States might be relieved from the ownership of this property by some equitable mode. He would vote for a proposition to vest the lands in the States in which they stood on some just and equitable terms, as related to the other States of the confederacy. He hoped that, after having full information on the subject, they would be able to effect that great object. He believed that if those lands were disposed of at once to the several States, it would be satisfactory to all."

Mr. Tazewell, of Virginia, in 1828, said, in the same place:

"That he was pleased with the plan of the gentleman from Missouri, [Mr. Benton:] but he thought it ought to extend farther. He would wish to have the arrangement something like this: while the lands are at the highest minimum, one dollar, allow the actual settlers to have the pre-emption right at seventy-five cents; when they are at seventy-five cents, allow actual settlers to enter them at fifty cents; and so on, down to the lowest. This, he thought, would be productive of a good effect, as it would be a continued encouragement to actual settlers, and give them an advantage over other purchasers."

These were the enlarged and enlightened views entertained by Randolph, Van Buren, and Tazewell, men whose names were ranked among the proudest ornaments of the civil history of the country—men whose eminent talents had adorned these halls, and whose patriotic examples are worthy of imitation and praise.

Mr. McC. called on the House, and particularly the gentlemen from Virginia and New York, to carry out the enlightened policy which had been recommended by these distinguished statesmen.

Having said this much on the question immediately under consideration, it was proper (said Mr. McC.) to pay a passing notice to an antagonist measure, the distribution of the proceeds of the sales of the lands among the States, which was the latent cause of much of the opposition to the present bill. Distribution contemplates the continuance of the present land system until all of the public lands are disposed of; without the one, the other would be nugatory. And what has been the immediate operation of the present system on the new States?

Among other evils which have flowed from it, it has operated powerfully to retard the progress of

their population, and the general improvement of their condition. More than a hundred millions of dollars have been drawn from them as the price of settlements and homes, which otherwise might have been applied to building towns and cities, making farms, opening canals, and constructing iron highways for the general profit and convenience. It can hardly be doubted that the population of the West would be double what it is now, but for this continual and remorseless drain upon the slow accumulations of industry and economy. Nor that, if the millions which have been thus extorted were at the disposal of these States, they would now be abundantly able to pay all of their obligations. Oppressive as it has been on communities, it is even more unjust to individuals. Take the case of the pioneer, for example. He leaves the home of his fathers, and all of its tender endearments, and goes forth into the rude forests of the West. There he finds the lands of his government wild and valueless; to secure a home and subsistence for himself and family, he builds a log-cabin—opens a field and cultivates it in the lonely independence of a hardy adventurer. The way is made clear for others who come after him—the foundation of a new empire is laid; and after all this, the speculator comes and forces him to choose between being driven from his humble home, and paying his government for his own labor. This is all wrong; the gross injustice of such a policy is almost enough to stir the latent fires of rebellion.

Distribution would not only perpetuate the present land system, but would materially aggravate its evils. It would array all of the old States against any modification of its provisions, which would have the effect to reduce their dividends of the land proceeds. It would create an antagonism of interest between the old and new States, and thus generate a spirit of selfish strife where good-will and disinterested patriotism should prevail. The pre-emption policy having the effect to defer the sales of a portion of the lands for the benefit of the settler, would be abolished as an obstacle to the monopoly of the lands by the speculator, and the speedy gratification of the whetted appetites of the old States for the expected spoil.

An effort is made to sustain the policy of distribution on the ground that it would supply the States with a gratuity whereby they would be enabled to improve their financial conditions. But it cannot have this effect. The very nature of the case forbids it. The government, it is well known, derives its existence from the people and the States. It is a mendicant on their bounty, and lives by their contributions. Is it possible, therefore, for it to give anything to the people but what it first draws from them? Certainly not. In one view, however, it may be said that it would divert a small sum from the general charges of the Union to those of the States; but yet the same sum (and, in fact, a much larger one) would have to be raised by additional taxation, to supply the deficiency thus created. Suppose, for example, the expenditures of the government to be \$20,000,000 a year, and the amount of its revenues, including the land sales, to be the same: it is evident if \$2,000,000, the annual amount of such sales, be distributed among the States, that the deficiency created must be supplied by imposing a tax equal to that amount, and the cost of assessing, collecting, and paying the same over, or an increased tariff upon imports, attended with the double effect of enhancing the prices of domestic and foreign manufac-

tures to the consumers of the country; which would be equivalent to the imposition of a tax of about \$8,000,000 or \$10,000,000, to make good an original deficiency of \$2,000,000. By such a process the States would be soon beggared rather than enriched. It is a species of political legerdemain, the mysterious virtues of which cannot be so well appreciated by the honest, unassuming democracy, as by their more astute rivals, the federalists. It is, however, in this aspect that "distribution" may be considered the entering wedge of a prohibitory tariff; and therefore the tenacity of the federal party to saddle it on the country. Distribution is also identical with the new federal scheme of the "assumption of the State debts by the general government." It rests on the same principle, is supported by the same arguments, and looks to the same objects. Under both, the revenues of the government are diverted from their constitutional purposes, and the States are made their recipients. The only difference between them is, that in one case the general government becomes the direct paymaster of the debts of the States; whilst in the other, the money is paid over by the government to the States for the same purpose. Distribution, therefore, is "assumption." It is the jackall sent forward to herald the advent and perpetuate the oppressions of a high tariff and protective duties, and the lever by which the crushing weight of assumption is to be foisted on the country, and the way made clear for its iron ear. Let the baneful principle of distribution be but once firmly ingrafted on the settled policy of the government, and the effect will be to transform it into a land-jobber; the tariff taxes will be raised, not for the legitimate objects of the government, but that more lands may be bought for the purposes of distribution. The cry in one section of the Union will be high taxes, high prices, more lands, and more distribution; and in the other, low taxes, low prices, no lands, and no distribution; until, in the course of time and events, the Union may be shaken if not dissolved by the contest. No, we want no distribution; we are not to be seduced by its harlot's attire; the treacherous overtures which would vouchsafe its amorous rites, we respectfully decline. We will be content with the humbler boon of "reduction and graduation." This is all we ask; and we want this not only for the reasons assigned, but also because the operation of the measure in accelerating the sale and settlement of the public lands, will contribute to establish the new States on the same grounds of "sovereignty, freedom, and independence, as the others," which cannot be, as long as the title of the government to the lands of the new States is unextinguished. The new States have a right to demand this of the government—the constitution contemplates it; the resolution of Congress inviting the cession of the public lands, and the deeds of cession themselves guaranty it; and why should not this triple pledge of faith be fulfilled? It is now obvious that the States do not occupy a footing of equality as regards the rights of sovereignty. The difference between them is, that some of them exercise a dominion of soil, and others are not allowed to do so. In the language of black letter British law, the old States are seised of their lands as an absolute allodial estate, while the new States hold theirs as a *feud*, or *sief*; the allodial *propriety* of the soil being in the federal government. As the ancient English vassals had a *usufruct*, or, as Sir Edward Coke defines it, a *dominium utile*, in the lands of his

lord, upon the condition of *pure and absolute villainage*, so the new States may extend a sort of *non-descript* jurisdiction over the public lands within their limits, for the purposes of order and good government; but still a paramount jurisdiction resides in the federal government to *restrain* the citizens of those States by *fine, imprisonment*, or by *military force*, from the use and occupation of the lands. The right of taxation and the dominion of the soil are essential attributes of national sovereignty: one is necessary to the *very* existence of a nation; the other, to its safety. Yet the new States are denied both of these rights, except, as they are exercised *sub modo*; while the old States may exercise them without restraint. This degrading feudal relation of the new States should be extinguished; and to effect this object, if no other, the bill should be passed.

Mr. McC. said it was the duty of this Congress to pass this bill. It had been frequently said, in reference to the great question of the annexation of Texas, that the people had decided in favor of the measure in the late presidential election; that such was the clear expression of the popular will in the election of Mr. Polk to the presidency; and that it ought to be consummated at once. So with regard to the question of reducing and graduating the price of the public lands. Mr. Polk was known to have

advocated this policy when a member of Congress. He had both spoken and voted in favor of relaxing the rigor of the present land system; while it is well known that Mr. Clay was the author of the antagonist policy of distribution. On this issue and others, the American people have declared in favor of Mr. Polk; and effect should be given to their decision by the action of the House. Now is the time to adjust the disturbing question of the public lands. It is the "golden moment," which a prudent forecast would teach ought not to be allowed to pass without being improved. It can be now settled on a satisfactory and solid basis; but if the present opportunity is neglected, it would be hazardous to say that as favorable an arrangement for the old States can be made in future. Gentlemen from the old States should not close their eyes to the fact, that the representation of the new States on this floor was greatly increased under the last apportionment, while that of the old States was decreased almost in the same ratio; and that, in 1850, the flag-staff of the Union will be planted on the battlements of western ascendancy and power, when, if not before, the doctrine of *free tenure* and *equal rights* will be proclaimed to the hardy millions of the Great West, when the representation from the West will be able to take, as a right, what is now asked in justice.

